

Amendment/Response
Serial No. 09/728,443
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organoleptic attribute in the finished yogurt. Preferably, the calcium phosphate has a particle size of less than or equal to 5 microns (" $\leq 5 \mu\text{m}$ ").

A1 Of course, the calcium phosphate material will have a particle size distribution curve. Surprisingly, if a significant amount of the calcium phosphate (i.e., >10%) is larger than about 150 microns, then the calcium phosphate begins to become perceptible as imparting an undesirably "chalky" mouth feel. For the very best product, preferred herein are yogurt finished products wherein the calcium phosphate particle size is such that the mean particle size is less than four microns and at least 90% of the calcium phosphate has a particle size of less than or equal to six microns.--

IN THE CLAIMS

Kindly cancel claims 23 and 24 in their entirety, without prejudice or disclaimer, and amend claims 29 and 55 as follows:

A2 ²⁷
~~29~~. (Once Amended) The product produced by the method of claim 22.--

A3 ⁵³
~~55~~. (Once Amended) The food product of claim ⁵²~~54~~ wherein the pasteurized milk base comprises at least a mammalian milk ingredient.--

IN THE ABSTRACT

Kindly insert the substitute Abstract provided herewith on a separate page for the Abstract as originally filed.